

## **REMARKS**

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following commentary.

### **I. Statement of the Substance of the Interview**

Applicants thank Examiner Maher Haddad for the courtesies extended during an interview with Applicants' representative, Yang Tang, on March 23, 2009.

During the interview, the proposed amendments to the claims were discussed. Applicants are grateful to Examiner Haddad for his indication that the proposed claim amendments will be entered without need of an accompanying RCE, and that the claims will be allowed if no new matter is introduced.

Withdrawn claims 39-44 are related to claims 34-38 as method claims and product claims. Examiner Haddad will consider rejoining the withdrawn claims for examination. If any withdrawn claims are found not allowable, Examiner Haddad is invited to contact the Applicants' representative by telephone in order that Applicants may consider cancelling the rejected claims.

### **II. Status of the Claims**

Claims 1-33 were cancelled previously. Claim 34 is cancelled in this response without prejudice or disclaimer thereof. Applicants reserve the right to pursue the subject matter of any cancelled claim in one or more continuing or divisional applications.

Claims 35 and 37 have been amended to correct typographical errors in keeping with the Examiner's recommendation. Claim 36 has been amended to delete the recitation of "pharmaceutical." Withdrawn claims 40 and 43 have been amended to better phrase the subject matter.

Applicants acknowledge the finality of the present Office Action. Because the amendments to the claims (i) do not introduce any new matter; (ii) do not require any additional search; (iii) place the application in condition for allowance or at least in better condition for appeal, Applicants respectfully request entry of this amendment.

### **III. Claim Objections**

Claims 35 and 37 are objected to for containing typographical errors. The claims at issue have been amended to correct the errors. Therefore, Applicants respectfully request withdrawal of the objection.

### **IV. Rejection of Claim 34**

Claim 34 is rejected under 35 U.S.C. §112, second paragraph, for alleged indefiniteness, under 35 U.S.C. §102(b) for alleged anticipation by Liu *et al.*, *Biochimica et Biophysica Acta* 1343:316-326, 1997, under 35 U.S.C. §103(a) for alleged obviousness over Zheng *et al.* in view of Campbell, respectively. Claim 34 also is provisionally rejected on the ground of nonstatutory double patenting over claims 5-7 of copending Application No. 10/549,317.

Claim 34 has been cancelled thereby rendering each of the above rejections moot.

### **V. Rejection of Claim 36**

Claim 36 is rejected under 35 U.S.C. §112, first paragraph, for alleged lack of enablement for a “pharmaceutical” composition. Without acquiescing to the stated rationale of the rejection, Applicants have amended claim 36 to delete the recitation of “pharmaceutical.” Accordingly, withdrawal of the rejection is respectfully requested.

CONCLUSION

Applicant submit that the application is in condition for allowance and they request an early indication to this effect. Examiner Haddad is invited to contact the undersigned directly, should he feel that any issue warrants further consideration.

Respectfully submitted,

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By



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The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. § 1.161-17, as credit any overpayment, to Deposit Account No. 19-9741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the writing amount, unsigned, post dated, otherwise improper or informal or even entirely lacking, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-9741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extension fees to Deposit Account No. 19-9741.